

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

UNITED STATES OF AMERICA, ex )  
rel. TRACY PAYTON; )  
)  
STATE OF GEORGIA, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF CALIFORNIA, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF COLORADO, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF CONNECTICUT, ex )  
rel. TRACY PAYTON; )  
)  
STATE OF FLORIDA, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF ILLINOIS, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF LOUISIANA, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF MASSACHUSETTS, ex )  
rel. TRACY PAYTON; )  
)  
STATE OF NEW JERSEY, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF NEW YORK, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF NORTH CAROLINA, ex )  
rel. TRACY PAYTON; )  
)  
STATE OF TEXAS, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF VIRGINIA, ex rel. )  
TRACY PAYTON; )  
)  
STATE OF WASHINGTON ex rel. )

CLERK  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF GA.  
SAVANNAH

2015 FEB 30 PM 3:49

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF GA.  
SAVANNAH

TRACY PAYTON, )  
)  
Plaintiffs-Relator, )  
)  
v. )  
)  
PEDIATRIC SERVICES OF )  
AMERICA, INC., a Delaware )  
Corporation; PEDIATRIC )  
SERVICES OF AMERICA, a )  
Georgia Corporation; )  
PEDIATRIC HEALTHCARE INC.; )  
PEDIATRIC HOME NURSING )  
SERVICES, collectively doing )  
business as PSA Healthcare; )  
PEDIATRIC SERVICES HOLDING )  
CORPORATION; PORTFOLIO )  
LOGIC, LLC; and J. H. )  
WHITNEY CAPITAL PARTNERS, )  
LLC; )  
)  
Defendants. )  
\_\_\_\_\_ )

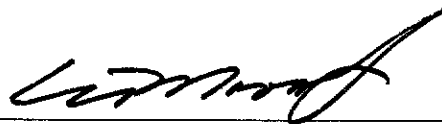
CASE NO. CV416-102

**ORDER**

Plaintiff/Relator Tracy Payton ("Relator") has moved the Court pursuant to F.R.C.P. 41(a) for the stipulated dismissal of the above-styled action against various Defendants. (Doc. 78; Doc. 79; Doc. 80.) Relator has requested that Defendants J.H. Whitney Capital Partners, LLC and Pediatric Healthcare, Inc. be dismissed from this action with prejudice. (Doc. 78, Doc. 79.) Relator requests that Defendants Pediatric Services of America, Inc., a Delaware Corporation; Pediatric Services Holding Corporation; and Portfolio Logic, LLC be dismissed without

prejudice. (Doc. 80.) While the Attorney General of the United States, the State of Georgia, and the thirteen other states named in the complaint consented to dismissal without prejudice of this action; similar consent was not granted for dismissals with prejudice. (Doc. 24 at 3.) See 31 U.S.C. § 3730(b)(1). Accordingly, the Attorneys General of the United States, the State of Georgia, and the thirteen other states named in the complaint are **DIRECTED** to file within thirty days from the date of this order a notice indicating whether consent is granted to the dismissal of the Defendants named above. The Clerk of Court is **DIRECTED** to serve copies of this order upon counsel of record for Plaintiff/Relator, the United States of America, the State of Georgia, the thirteen other states named in the complaint, and Defendants.

SO ORDERED this 29<sup>th</sup> day of December 2016.



---

WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA